Public Notice

US Army Corps of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199950573
Date: December 26, 2002
Comments Due: January 9, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and water quality certification under Section 401 to permanently fill 1.65 acres of wetlands, temporarily fill 0.21 acre of wetlands, alter 1,501 linear feet of creek and river, and temporarily alter 240 linear feet of creek for the 12300/12600 South Road Improvement Project, as shown in the attached drawings.

APPLICANT: Utah Department of Transportation
ATTN: Steven Poulsen, Project Manager
2050 South 2400 West
Salt Lake City, UT 84104

LOCATION: The proposed UDOT 12300/12600 South Improvement Project is located within the limits of Draper and Riverton Cities, in Salt Lake County, Utah (Figure 1, General Project Location, and Figure 2, Project Vicinity Map). The project is located in Sections 26 through 36, Township 3 South, Range 1 West, and Sections 29 and 30, Township 3 South, Range 1 East, Salt Lake Base & Meridian. Latitude 40-31-22 Longitude 111-55-57, UTM Zone 12, 4486000 Northing, 421000 Easting. The project's western terminus is Bangerter Highway; the eastern terminus is 700 East (6.2 miles long).

AREA DESCRIPTION: The project study area is located in the southern portion of the Salt Lake Valley, which is approximately 15 miles wide by twenty-five miles long. This area is included in the Wasatch Front Valley section of the Basin and Range Physiographic Subprovidence. This section occurs on the west slope of the Wasatch Range and is formed mostly by the low-lying former bed and alluvial terraces of the Lake Bonneville shoreline. The Salt Lake Valley is a valley terrace approximately 4,200 to 5,000 feet in elevation. Lake Bonneville, whose relic shoreline is located above the study area, once covered the entire valley bottom. These lake terraces can be seen on the eastern side of the survey area, and vaguely on the western side.

There are several sources of surface water that provide sufficient hydrology to maintain jurisdictional Waters of the United States, including wetlands. The Jordan River, the major hydrologic feature in the study area, flows from Utah Lake in the south to the Great Salt Lake.

The Jordan River meander corridor and floodplain also lie within the project area. Two other hydrologic features present on the project site are Willow Creek (which passes through the project from the I-15 and flows northwest across 12300 South) and Corner Canyon Creek (which flows across the UPRR to the Jordan River along the southern portion of the project). Wetlands within the project area are associated with these water features (see Figure 3).

The project area occurs in the Uinta Basin floristic division of the Colorado Plateau. Vegetation of the area is classified into 1) upland pasture, 2) upland cultivated agricultural lands, 3) urban, and 4) wet meadow wetland.

Within the upland pasture areas, soil is not plowed regularly and the pastures are primarily used for livestock grazing. Plant species include greasewood (*Sarcobatus vermiculatus*), rabbitbrush (*Chrysothamnus nauseosus*), and sagebrush (*Artemisia tridentata*) along fence lines. Other plant species are quackgrass (*Agropyron repens*), field fescue (*Festuca pratensis*), tall wheatgrass (*Elymus elongatum*), western wheatgrass (*Elymus smithii*), cheatgrass (*Bromus tectorum*), saltgrass (*Distichlis spicata*), and sedge species (*Carex spp*.).

The upland cultivated agricultural lands are plowed, harrowed, and/or disced on an annual or semi-annual basis. These lands are involved in crop, improved pasture, or hay production. Cultivated species include alfalfa (*Medicago sativa*), barley (*Hordeum vulgare*), and common oats (*Avena sativa*). Other plants associated with the cultivated pastures include Kentucky bluegrass (*Poa pratensis*), meadow fescue (*Festuca pratensis*), wheatgrass (*Elymus spp*.), smooth brome (*Bromus inermis*), timothy (*Phleum pratense*), perennial ryegrass (*Lolium perenne*), red clover (*Trifolium pratense*), basin wildrye (*Elymus cinereus*), foxtail barley (*Horedum jubatum*), and Japanese brome (*Bromus japonica*). In disturbed areas, there is an increase in weedy species such as thistle (*Cirsium spp*.) and common cocklebur (*Xanthium strummarium*).

The urban cover type is primarily associated with commercial, residential, and industrial development as well as transportation facilities. Lawns and landscape plants dominate the cover, as do weedy species, such as whitetop (*Cardaria draba*) and quackgrass (*Agropyron repens*). The project area has evolved from being a predominately rural agricultural region to a rapidly growing residential and commercial sector.

The wetlands associated with the creeks and river are wet meadow/marsh type. They are dominated by cattail (*Typha latifolia*), baltic rush (*Juncus balticus*), creeping spikerush (*Eleocharis palustris*), clustered field sedge (*Carex praegracilis*), Nebraska sedge (*Carex nebrascensis*), redtop bentgrass (*Agrostis stolinifera*), foxtail barley (*Hordeum jubatum*) and curley dock (*Rumex crispus*). Due to flood protection measures, such as dredging and bank stabilization measures, many areas that once supported wetlands now contain uplands.

PURPOSE: The Utah Department of Transportation (UDOT), in conjunction with the cities of Draper and Riverton, proposes to make roadway related improvements to the 12300/12600 South corridor (between 700 East in Draper and Bangerter Highway in Riverton) to accommodate the existing traffic volumes and future travel demand along this corridor. As part of the corridor improvements, the interchange at I-15 will also be improved.

The primary need for the proposed project is to increase the capacity of the 12300/12600 South roadway corridor to alleviate existing congestion and to accommodate the projected future travel demand along the corridor. This need for increased capacity along with several other local and

regional safety and operational needs of the corridor were discussed in the Environmental Assessment for this project. In general, they include 1) regional traffic mobility and circulation issues; 2) 12300/12600 South corridor issues and 3) other related issues, such as trail crossing concerns at the Jordan River Parkway, roadway design deficiencies, and I-15 design deficiencies.

The proposed project will correct the problems listed above under the stated need. Specifically, the proposed project is intended to:

1) help accommodate the regional travel demand for the east-west travel across the southern end of the Salt Lake valley;
2) improve the functionality of the 12300/12600 South corridor as an important local and regional east-west travel corridor consistent with the local and regional master plans of Draper, Riverton, Wasatch Front Regional Council (WFRC), and UDOT;
3) improve the safety of the 12300/12600 South corridor by adding medians, shoulders, curb and gutter, parkstrips, and sidewalks in addition to providing grade separated Union Pacific Railroad (UPRR) and Jordan River Parkway trail crossings;
4) improve the safety and operation of the major signalized intersections along the 12300/12600 South corridor so that the efficiency of the intersections is increased, traffic flow is improved, travel time and other delays are decreased, and the frequency and length of backup is reduced;
5) improve the operation of the I-15 interchange and correct roadway design deficiencies by reconstructing the interchange to meet the future travel demand and upgrading the interstate to meet current standards; and
6) enhance the opportunities to incorporate inter-modal facilities within the corridor by providing a roadway section that can better accommodate mass transit (busses), bicycles, pedestrians, trails, and other modes of travel beside the single occupant vehicle.

PROJECT DESCRIPTION: UDOT, in conjunction with the cities of Draper and Riverton, proposes to make roadway related improvements to the 12300/12600 South corridor between Bangerter Highway and 700 East. Alternatives that were studied to accomplish the goals of the project include the No Build Alternative and the Proposed Action Alternative. Some of the other alternatives considered were eliminated from further study when it became apparent that they did not meet the project's purpose and need, as described in the preceding text. Eliminated alternatives include the Transportation System Management Alternative (TSM) and Mass Transit Alternative.

ALTERNATIVES:

No Build Alternative

The existing roadway configuration varies throughout the project corridor. In some areas, there is only one lane in each direction, while in other areas, there are multiple lanes in each direction with a median. The No Build Alternative includes minor capacity improvements and routine safety and maintenance activities. These may involve minor widening for shoulders, installing curb, gutter, and sidewalk, pavement rehabilitation, implementation of TSM elements such as installing traffic signals or improving signal timing or minor intersection widening to accommodate turning lanes. The No Build Alternative also includes improvements to other roadways, as per the WFRC Long Range Plan, within the general project area. The No Build Alternative does not provide for widening or improvements on 12300/12600 South corridor, such as adding shoulders for bicycle and bus usage, replacing the existing bridge across the Jordan River to accommodate the Jordan River Parkway Trail crossing, upgrading the at-grade railroad crossing at the UPRR tracks, improving intersections along the corridor, implementing

raised center island medians at several locations along the corridor for access control and access management purposes, and reconstructing the existing diamond interchange on I-15 at 12300 South. While considered, the No Build Alternative results in only minor improvements and does not fully address project purpose and need.

Proposed Action Alternative

The Proposed Action Alternative includes improvements along 12300/12600 South corridor between 700 East in Draper and Bangerter Highway in Riverton. The proposed improvements include:

1) Widening of the 6.2 mile corridor to a consistent five-lane cross section(four traffic lanes with a center median turn lane) with shoulders, curb and gutter, parkstrips, and sidewalks;
2) Adding Class II bicycle lanes to the corridor (provides a striped and signaled lane on each side of a roadway for one-way bicycle travel);
3) Replacing the existing bridge across the Jordan River with a new, wider and longer structure to accommodate the proposed roadway improvements and the proposed Jordan River Parkway trail;
4) Upgrading the at-grade railroad crossing at the UPRR tracks to provide a new grade-separated crossing of the tracks over the roadway which accommodates both freight and future commuter rail usage;
5) Widening and improving many of the intersections along the corridor to provide dedicated right and/or left turning lanes and upgrading traffic signals (TSM strategies);
6) Implementing raised center island medians at several locations along the corridor for access control and access management purposes;
7) Reconstruction of the existing diamond interchange on I-15 at 12300 South as a Single Point Urban Interchange (SPUI) to provide increased interchange capacity; and
8) Accommodating bus service along the corridor by providing 10-foot shoulders which can be used for bus loading and unloading.

Transportation System Management Alternative (TSM)

The TSM alternative also includes Transportation Demand Management (TDM) strategies. The goal of the TSM/TDM Alternative is to create more efficient use of the existing transportation system by improving the management of vehicles, roads, and travel demand on the system. TSM strategies include increases to traffic capacity created by intersection improvements, traffic signal coordination, bottleneck elimination and related measures. TDM strategies include reductions in vehicle demand that can be created by better utilization of car pooling, flexible work schedules, telecommuting and related demand reduction measures. In addition, other improvements such as transit vehicle signal pre-emption have components of both TSM and TDM strategies, so it is reasonable to package all feasible TSM and TDM strategies into a single alternative.

TSM improvements will be incorporated into the No Build Alternative, but results of analyses showed that TSM improvements alone will not provide sufficient capacity to meet the projected future travel demand along the corridor. TDM improvements are roadway capacity increasing measures that the applicant has very limited control over. However, UDOT supports and encourages regional employers to utilize means that maximize road capacity, such as car pooling, flexible work hours, or mass transit. As with TSM measures, the results of the traffic modeling and capacity analyses indicate that TDM measures alone will not be enough to reduce demand to a level that can be served with even modest improvements to the existing supply of transportation capacity. Therefore, while many aspects of the TSM/TDM Alternative will

enhance other alternatives, the TSM/TDM Alternative in and of itself does not fully meet the project's purpose and need.

Mass Transit Alternative

Mass transit needs along the corridor have been evaluated as part of several ongoing or recently completed transit studies. The results and conclusions of these studies have been used as the basis for the Mass Transit Alternative analysis. Two possibilities arose from these studies for mass transit implementations in the study area--an east/west bus service along 12300/12600 South and a north/south commuter rail line along the existing UPRR tracks. Utah Transit Authority (UTA) has expressed their desire to the applicant that the Proposed Action Alternative accommodates bus service along 12300/12600 South to account for a future Light Rail station planned for Draper. However, no firm plans are in place for a station location for commuter rail at 12300 South.

The Mass Transit Alternative, similar to the TDM Alternative, is an alternative that the corridor jurisdictional agencies have little ability to implement without the support and funding of UTA. The mass transit studies, as well as correspondence with UTA, do not indicate that any substantial mass transit improvements are planned for the corridor in the near future. Without any firm plans for other mass transit facilities in or around the project area in the near future, the Mass Transit Alternative is not a feasible alternative that will address either the immediate or long term capacity needs along the corridor. It also does not correct any of the physical, operational, and safety deficiencies of the corridor. As such, the Mass Transit Alternative alone does not fully meet the project purpose and need. However, proper consideration of elements of the Mass Transit Alternative, such as future commuter rail and east/west bus service will be incorporated in the Proposed Action Alternative. As part of the Proposed Action Alternative, UDOT will preserve the existing parking area in the northeast quadrant of the I-15 and 12300 South interchange or UDOT will create a new park and ride lot near I-15.

PROJECT IMPACTS: Impacts to waters of the US, including wetlands, are shown in Figures 3-12. A total of 1.65 acres of wetlands will be filled for the proposed project and 1,501 linear feet of creek and river will be altered. In general, the project as proposed consists of widening the roadway along 12300/12600 South, improving intersections, and constructing an overpass for the UPRR over 12300 South to eliminate the current at-grade crossing. Rationale for the railroad crossing is supplied by the applicant in Attachment 1. Temporary fills associated with the proposed project include 0.21 acres of fill material to wetlands and 240 feet of temporary stream alteration associated with the construction of a shoofly (temporary bypass) to allow construction work on the railroad. These figures may change slightly throughout construction, as this is a "design-build" project (Attachment 2).

The widening of 12300/12600 South over the proposed project area has impacts to the Jordan River and to associated wetlands. The bridge over the Jordan River will be widened to accommodate the new lanes of traffic, and wetlands to the south of the road will be filled due to road widening (Figure 4). Figure 5 depicts similar impacts to the east of the Jordan River due to road widening along a mitigation site for impacts associated with the I-15 construction. Impacts here were reduced from 0.58-acre to 0.37-acre by removing the park strip on the street and lowering the road profile. Widening the road will also impact 0.02-acre of wetlands near 350 East (Figure 8). Where Willow Creek crosses 12300 South (Figure 6), only temporary fill will occur due to construction around existing box culverts. Because the road has a depressed profile in that section, the decrease in embankment impacts compensates for the road widening, thus there will be no permanent fill in the Willow Creek wetlands at this location.

The UPRR lies at approximately the center of the project and has a north-south alignment. To achieve an overpass at 12300 South, the rail line must be elevated. Because UPRR requires a 2:1 side slope for rail embankment, the new footprint will minimally encroach into wetlands (Figures 6 and 9) and Willow Creek (Figure 10). Options were explored to shift the tracks to the east, rather than west, but were dismissed because 1) canals would need to be relocated, forcing the acquisition and relocation of homeowners in the adjacent subdivision, 2) the shoofly would require extension, 3) an eastern shifting of the track would be problematic with the safe movement of trains, and 4) a section of Willow Creek on the east side of UPRR would still require relocation. In order to construct the shoofly to the south of 12300 South, wetlands associated with Willow Creek and the channel itself will be temporarily impacted, but returned to pre-construction condition upon construction completion.

As shown in Figure 7, the Willow Creek culvert will be extended under I-15 in order to construct the SPUI intersection. No wetlands are associated with this portion of the creek.
MITIGATION: In order to compensate for up to 0.88-acre of wetlands at the I-15 Wetland Mitigation Site, 1.17-acres of wetlands and 0.06-acre of Willow Creek, and 0.07-acre of miscellaneous wetlands, the applicant--in accordance with DA Permit 199950550--purchased 15 acres of property along the Jordan River for conservation. These properties (totalling 15 acres) provided advance mitigation for the UDOT 10600 South, 11400 South and 12300 South projects, and were agreed upon by the Corps of Engineers and US Fish and Wildlife Service.

The project as proposed will have a total of 1.64-acres of permanent impacts to wetlands. The mitigation agreement allowed for 0.88-acres of impact to the I-15 Wetland Mitigation Site. However, only 0.37-acres will be filled under the proposed project. This leaves the project with a 0.51-acre surplus mitigation from this location. At Willow Creek, the mitigation agreement allowed for 1.17 -acres impact to wetlands. However, only 0.8-acre impacts for fill are proposed, leaving a 0.37-acre surplus mitigation. Miscellaneous wetland impacts of 0.07-acre were anticipated. This amount compensates for 0.05-acre impacts associated with the UPRR improvements (Figure 6) and 0.02-acre impacts near 350 East (Figure 8). To summarize, the applicant has a surplus of 0.88-acres of mitigation for wetland impacts associated with the proposed project. The applicant proposes to use this 0.88-acre surplus to compensate for 0.41-acre of wetland impacts that were not identified at the time of advanced mitigation agreement. Specifically, these are 0.41-acre of wetland impacts associated with the road widening and UPRR reconfiguration at the Jordan River, along UPRR and at Corner Canyon Creek. Therefore, this project will have a positive balance of 0.47-acres for mitigation of wetland impacts.

The advanced mitigation agreement also planned for the mitigation of 0.06-acre of Willow Creek. However, the proposed impacts to waters are 1) 70-feet of impact to the Jordan River, 2) 1413-feet of impact to Willow Creek, and 3) 18-feet of impact to the Corner Canyon Creek. This equates to approximately 0.032-acre impact to the Jordan River, 0.162-acre to Willow Creek, and 0.01-acre impact to Corner Canyon Creek. These proposed impacts to creeks and rivers have a mitigation deficit of 0.144-acre. The applicant proposes to utilize the remaining balance of 0.47-acres for wetlands impacts to compensate for the 0.144-acre of remaining creek & river mitigation.

Areas identified as having temporary impacts, such as the shoofly area, will be returned to preconstruction conditions. Topsoil will be stockpiled and areas will be revegetated.
The restoration of affected portions of Willow Creek is shown in Figure 13.

In addition, best management practices (BMP's) will be implemented per UDOT manual of Temporary Environmental Controls to reduce siltation and turbidity to downstream waters.

ADDITIONAL INFORMATION:

Project History: The proposed project was reviewed in October 2001 and a Finding of No Significant Impact (FONSI) was prepared for the proposed alternative.

The applicant approached the Corps of Engineers in October 2002 with an application for a 404 permit. At the time, we believed this project could be permitted under our Nationwide Permit program and State of Utah Stream Alteration permit program. Upon further review, we realized the necessity for an Individual Permit for this project due to unavoidable stream rechannelization at Willow Creek (Figure 10). This has increased the timeline for the applicant, causing a conflict with scheduling of construction. We feel it is reasonable and fair to the applicant to shorten the public review to 15 days. We feel this is a just action since the applicant has shown they have minimized impacts to the greatest extent practicable and has advance mitigation completed for these impacts.

Cultural Resources: In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the 12300/12600 South Area of Potential Effects (APE) has been inventoried for cultural resources. Based on the surveys, a total of 91 historic properties were identified as eligible for inclusion on the Nationals Register of Historic Place (NRHP). Ten of the properties were removed by their owners to make way for the construction or planning of commercial development. FHWA, SHPO, UDOT, Riverton City, Riverton Historical Society, the Draper Historic Preservation Commission, Draper City, and Utah Heritage Foundation signed a Memorandum of Agreement to mitigate for the adverse effects to the remainder of the sites that will be affected by this project.

Threatened and Endangered Species: No federally listed threatened or endangered species are known to occur in the area of the proposed project. The proposed project would not affect threatened or endangered species.

Water Quality Certification: Under the proposed project, effects to ground and surface waters will be minimal during construction. It is anticipated that during operation of the proposed project, water quality for ground and surface water will improve through the implementation of storm drainage systems which comply with current Utah Department of Environmental Quality, Division of Water Quality (UDWQ) Standards.

Certification that the proposed work, if permitted, will not violate applicable water quality standards have been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, PO Box 144870, Salt Lake City, Utah 84114-4870, on or before **January 9, 2002.**

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties. All interested parties are invited to submit written comments on or before **January 9, 2002**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. The permit decision will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act.

If additional information is required, please contact Mr. Steven Poulsen of the Utah Department of Transportation at 801-975-4819, or Ms. Anna Langdon of the Utah Regulatory Office, telephone 801-295-8380, ext. 15, or email *anna.m.langdon@usace.army.mil*. Written comments should reference Public Notice Number 199950573 and should be mailed to the District Engineer-Sacramento, U.S. Army Corps of Engineers, ATTN: Ms. Anna Langdon, Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Attachments: Attachments 1 & 2; Figures 1-13